

Chronic Pain / Schedule II Prescriptions Policy Paper

The Montana Board of Pharmacy has been asked on several occasions how to best handle the ongoing prescription needs of a stable chronic pain patient, or other patient requiring the issuance of monthly Schedule II prescriptions in our rural state.

Federal laws and those from the State of Montana do not prohibit the writing of multiple Schedule II prescriptions by the same practitioner, for the same patient, on the same day for the same drug. In patients stabilized on a relatively unchanging regimen of Schedule II medications, a practitioner can legally write multiple prescriptions for the same patient and same drug on the same day in order to spare the patient the need to return to the office on a monthly basis. **Each written prescription should be dated with the date on which the prescription was written. The notation "Do not fill before 4/17/2003", "Do not fill before 5/17/2003", etc., should appear clearly on each prescription blank, both for the protection of the patient and his or her prescribing practitioner.** The DEA does not feel that this process violates the intent of 21 CFR 1306.12 prohibiting refills on Schedule II prescriptions. The Montana Board of Pharmacy agrees with their assessment.

There is no Federal or Montana law that requires a prescription for a Schedule II medication to be filled within a certain number of days. Professional judgment should always be used, and each case presents a different set of circumstances. A pharmacist having questions and concerns regarding any prescription is encouraged to talk with the authorizing practitioner.

Please call Rebecca (Becky) Deschamps at the board office, 406-841-2355, if you need clarification regarding the handling of these or similar situations.